Public Law 97-356
97th Congress

An Act

To authorize the Secretary of the Interior to acquire by exchange certain lands within the Indiana Dunes National Lakeshore in the State of Indiana.

Oct. 19, 1982
[H.R. 6029]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the fourth sentence of section 2(a) of the Act entitled "An Act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes", approved November 5, 1966 (16 U.S.C. 460u-1(a)), or any other provision of law, the Secretary of the Interior is authorized—

Indiana Dunes National Lakeshore. Land conveyance. 16 USC 460u-1 note.

(1) to accept from the State of Indiana the conveyance of 69.17 acres of land located within area IV-A, as designated on the map referred to in the first section of such Act (16 U.S.C. 460u), commonly known as "Blue Heron Rookery", and

(2) in exchange for such conveyance, to convey to the State of Indiana 31.26 acres of land located within area IV, as designated on such map, commonly known as "Hoosier Prairie".

(b) The Secretary of the Interior may not carry out the conveyance specified in subsection (a)(2) unless, simultaneously with such conveyance and in consideration of such conveyance, the State of Indiana—

(1) transfers to the Secretary all right, title, and interest in the land described in subsection (a)(1);

(2) enters into a recordable agreement satisfactory to the Secretary providing that—

(A) the State will not use, or permit the use, of the land described in subsection (a)(2) for any purpose other than the interpretation and public appreciation and use of the Hoosier Prairie Unit of the Indiana Dunes National Lakeshore;

(B) the State will not transfer any right, title, or interest in, or control over, any land described in subsection (a)(2) to any person other than the Secretary;

(C) the State will permit access by the Secretary at reasonable times to the land described in subsection (a)(2); and

(D) upon a final determination by the Secretary that—

(i) the State has failed to comply with the requirements of subparagraph (A) or (B), and

(ii) after receipt of notice from the Secretary respecting such failure, the State has failed or refused to comply with such requirements,

all right, title, and interest in such land shall revert to the United States for administration by the Secretary as part of the lakeshore.

The Secretary may make a determination under subparagraph (D) only after notice and opportunity for hearing on the record. The reversion under subparagraph (D) shall take effect upon publication of such determination by the Secretary in the Federal Register

Notice and hearing. Publication in Federal Register.

without further notice or requirement for physical entry by the Secretary unless an action for judicial review is brought in the United States court of appeals for the appropriate circuit within ninety days following such publication. In any such action the court may issue such orders as appropriate to carry out the requirements of this subsection.

Approved October 19, 1982.

LEGISLATIVE HISTORY—H.R. 6029:

HOUSE REPORT No. 97-710 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 97-561 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 128 (1982):
Aug. 16, considered and passed House.
Oct. 1, considered and passed Senate.